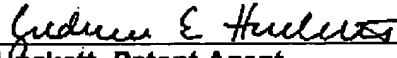


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Total pages in this transmission: 4



Gudrun E. Hockett, Patent Agent

Applicant: Rudolf Ehwald et al.
Serial No: 09/865,338
Filed: 5/28/2001
Title: Method and Apparatus for Measuring Viscosity
Examiner: Daniel Sean Larkin
Art Unit: 2856

IFW Formal Filings
ATTN.: Office of Petitions
Commissioner for Patents
Alexandria, VA 22313-1450

RENEWED PETITION UNDER 37 CFR §1.137(b)

In response to the decision on petition dated June 5, 2006, applicant herewith submits a statement pursuant to 37 CFR 1.137(b) signed by all inventors.

The petition as filed 4/4/2006 stands dismissed because the statement in regard to unintentional delay in filing the required reply was made by a practitioner who was not the practitioner under whom the application went abandoned and could not make the statement. The other requirements as to a grantable petition (petition and fee; proper reply) have been fulfilled.

In order to correct the error in regard to the statement of unintentional delay, a statement by the inventors is now submitted.

Reconsideration of the petition under 37 CFR 1.137(b) is respectfully requested.

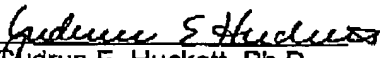
Should there be any further objections, the undersigned would appreciate a phone call or e-mail (gudrun.draudt@t-online.de) from the attorney in charge of the petition in order to discuss appropriate corrections.

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7/3/06: Renewed Petition for Ser. No. 09/865,338 - Inventor(s): Ehwald et al. - Filing Date: 5/28/2001

Authorization is herewith given to charge any fees or any shortages in any fees required during prosecution of this application and not paid by other means to Patent and Trademark Office deposit account 50-1199.

Respectfully submitted on July 3, 2006,


Ms. Gudrun E. Hockett, Ph.D.
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GEH
Encl.: statement by inventors (2 pages)

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7/3/06: Renewed Petition for Ser. No. 09/865,338 - Inventor(s): Ehwald et al. - Filing Date: 5/28/2001

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STATEMENT PURSUANT TO 37 CFR 1.137(b)(3)

We, the applicants, herewith state that:

Our former counsel and representative before the USPTO filed a reply to the office action dated 25 September 2002. We received a copy of the reply as filed as well as a bill for services rendered.

In response to inquiries submitted to the former counsel in regard to the status of the application, former counsel assured us that the application was pending and that everything was in order. After becoming aware of the denial of petition for unavoidable abandonment filed by former counsel, we hired new counsel to represent us before the USPTO.

At no time did we ever intend to abandon the application. We herewith state that the entire delay from the due date of the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional.

Rudolf Ehwald

Signature: 

Date: 26.6.06

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Ser. No. 09/865,338 - Statement - 37 CFR 1.137(b)(3)

Karl-Ernst Ehwald

Signature: Karl-Ernst Ehwald Date: 21.6.2006

Dieter Knoll

Signature: Dieter Knoll Date: 21.6.2006

Wolfgang Winkler

Signature: Wolfgang Winkler Date: 21.6.2006

Henning Zinke

Signature: Henning Zinke Date: 21.6.2006